

common sense of the American people. For some reason, our colleagues in the Senate may have never logged on to Etoys.com to find out that products recalled less than 1 year ago because of dangerous lead content targeted children between the ages of 9 and 12.

Mr. Speaker, we should not allow toy manufacturers to stop protecting American children once they hit the second grade.

Mr. Speaker, legislation of this type has now been under consideration in the Congress for almost a year. We passed this very legislation in December. We went to conference on this bill over 4 weeks ago. As we work tonight, it is only 4 months until the Christmas shopping season goes into high gear. Likewise, Hanukkah begins 4 days before Christmas.

Time is quickly running out to send a very clear signal by this Congress in this month that lead standards in toys will not just be a recommendation of major retailers, but will have the force of law and will apply to products for children age 12 and down.

In my view, this is a commonsense, bipartisan issue that the House should insist on as it rapidly concludes its conference. We should maximize protections for our Nation's children.

In this effort, I want to thank Will Carty from Mr. BARTON's staff for helping us out on this; Brian Diffell from Mr. BLUNT's staff for this important motion today; and my key staffers, Richard Goldberg and Patrick Magnuson, for their assistance and work on this effort.

I urge my colleagues to support this commonsense motion to instruct, and reserve the balance of my time.

Mr. MELANCON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, tonight I happened to talk to my 2-year-old grandson, Jackson, in his home in south Louisiana. He is just 2 so we didn't talk a lot of details about his pap and what his pap was going to be doing tonight. But I thought it fitting to call him before speaking in favor of this motion to instruct.

For the next couple of years, he will play with just about anything put in front of him. He will clap blocks together, chip paint off of model cars, and I will bet chew on anything that is handy. We owe it to him, his mother, his dad, his grandmothers, his other grandfather, and to me, to do what we can to make certain the toys he plays with won't make him sick. It's that simple. We have that responsibility, and I believe this underlying bill gets us closer to fulfilling it.

Mr. Speaker, I am proud of this bipartisan bill. It passed out of the committee 51-0 and passed the House 407-0. It bans lead beyond the tiniest amounts in products intended for kids 12 and under. That is an important age, as kids are exposed to so many different toys and products as they grow up. I believe the House bill takes this into account, and I am proud to support it.

Mr. Speaker, this motion is a good one. I thank my friend from Illinois for offering it. I urge that the House support the motion to instruct offered.

Mr. Speaker, I yield back the balance of my time.

Mr. KIRK. Mr. Speaker, I thank my colleague. His State has gone through enough, and I am glad for the attention and time he has spent on this issue.

I think most Americans know with regard to Thomas and other faulty products from China, we have known about this problem for a year, and that the House of Representatives has passed completely bipartisan legislation on this subject 7 months ago. We have been in conference for 4 weeks now.

Quite frankly, our colleagues in the Senate made a mistake by making the protections cover only toys from zero to age 7. We risk having a situation in which parents who do not follow the rigid declarations of what is available on the labeling on the box may make a mistake, and we do not offer protections under the Senate bill; or, that older brothers and sisters may have toys available which clearly fall outside the Senate definition but would come clearly inside the House definition. That is why I think this is a very important motion to instruct.

I think this calls attention to this issue for a piece of legislation which should be rapidly finished to send a clear signal to the holiday-buying public. I think it gently corrects our colleagues in the other body that they made a mistake and they should back down to the House's position.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. KIRK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### USE IT OR LOSE IT HOAX

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. I am here on the floor tonight to set the record straight about

false claims that Democrats are peddling as a "use it or lose it" hoax. With American families and small businesses continuing to feel the pain at the pump, House Democrats have begun offering a series of hollow bills that will do nothing to reduce gas prices.

Today's bill, purportedly meant to address price gouging, serves no purpose other than to provide political cover to Democrats who continue to divide the will of the American people who are calling on Congress to increase the supply of American energy. In fact, today's bill is a reshaped version of a similar price gouging bill passed by the House last year.

Still to come in this week's series of no energy bills, the Democrats' "use it or lose it" hoax, with no facts to back up their desperate rhetoric, Democratic leaders continue to make misleading and inaccurate claims with the hope of confusing the American people.

Following are some of the most prevalent examples. Myth. If the American people want increased production of American energy, Congress must force energy companies to use their leased Federal lands to produce oil or lose those leases.

Here's the fact. Use it or lose it is already the law of the land. As a matter of fact, in a bipartisan vote, Speaker PELOSI, Majority Leader HOYER, and Natural Resources Committee Chairman RAHALL each voted for it in 1992. Under the law, Federal energy leaseholders already must produce oil or natural gas within 5 to 10 years after drilling on the land begins, and the Secretary of the Interior has the power to cancel the lease if the energy company fails to comply.

If Representatives PELOSI, HOYER, and RAHALL all had voted for "use it or lose it" 16 years ago, then why are they so insistent on forcing another vote on the exact same concept this year? Could it be because they have no meaningful plan of their own to bring down gas prices?

Another myth. Oil companies are sitting on 68 million acres of Federal lands without drilling for oil or gas on any of it. This is another false claim, which has become one of the Democrats' top talking points, but they can't back it up with any facts.

Energy companies already are actively exploring their currently leased lands to find oil or gas. Once they determine that oil or gas is present, only then can they actually begin drilling. The entire process can take years.

As the Independent American Association of Petroleum Geologists noted in a letter to House leaders yesterday, oil and natural gas exploration is not simple and it is not easy. It requires geological ingenuity, advanced technologies, and the time to do the job right.

□ 2145

It also requires access to areas where exploration ideas can be tested. The